

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

**Deborah S. Hunt
Clerk, U.S. Bankruptcy Court**

**Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510**

**SHORT CALENDAR PROCEDURE
ADDENDUM #1**

The following are excepted from the short calendar procedure:

1. Chapter 11 UST's motions to dismiss, convert or set a timetable.
2. Chapter 7 Trustee's motions under Rule 2002 F.R. Bankr. P. on which the clerk's office currently sends notices including:
Motions to abandon, sell, dismiss and compromise claims.
3. Chapter 7 trustee's final accounting matters, including the trustee's objection to claims.
4. Emergency matters which for *cause stated* require an expedited hearing. i.e., motions for relief from stay, cash collateral and financing matter, temporary restraining and preliminary injunction matters, and orders to show cause.
5. Reaffirmation hearings for pro se debtors.

Dated February , 1994.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

SHORT CALENDAR PROCEDURE

Contested matters include all chapter 7 and 11 matters that are not governed by Rule 7001 F.R. Bankr. P., with the exception of *ex parte* matters permitted under applicable rules; chapter 11 disclosure statement and confirmation hearing; chapter 7 trustee motions under Rule 2002 F.R. Bankr. P.; chapter 7 final accounting matters; pro se debtor reaffirmation hearing; and emergency matters which for cause stated require an expedited hearing.

1. PROCEDURE; BAR DATE FOR OBJECTIONS.

A. The party initiating the contested matter ("The Movant") shall file and server upon all parties entitled by applicable law, rule, or order the following:

(a) the contested matter

(b) a copy of a proposed order, and

(c) except as provided in subparagraph C, a NOTICE OF BAR DATE FOR OBJECTION TO ORDER ("NOTICE OF BAR DATE") on a court approved form, which states that the proposed order may enter without further notice unless an objection filed and served on the Movant by the specified Bar Date. The Bar Date will be no less than 10 days after the contested matter was filed, unless a longer notice period is required by an applicable rule, e.g., Rule 2002 F. R. Bankr. P. in providing a Bar Date, the Movant shall determine that it is in accord with all applicable rules, e.g. Rule 2002 F.R. Bankr. P., and bankruptcy code section, e.g. §362(e). The Movant shall file a certification of service on a court approved NOTICE OF BAR DATE CERTIFICATION.

B. Any party filing an objection under subparagraph 1.A. (c) who requests an evidentiary hearing shall state in the lower left margin of the first page of the objection: EVIDENTIARY HEARING IS REQUIRED.

C. In lieu of a notice of bar date, THE MOVANT MAY FILE A REQUEST FOR A HEARING which will be scheduled in accordance with paragraph 4.

2. MEMORANDA.

No memoranda shall be filed unless ordered by the court. Any memorandum that is ordered shall be no longer than ten pages (double spaced on 8 ½" x 11" paper with 12pt. font) and shall be exchanged, filed, and a copy delivered to chambers no later than the date ordered by the court. A certification of service shall be filed with each memorandum.

3. ORDER.

The proposed order may enter after a REQUEST FOR ENTRY OF PROPOSE ORDER, on a court approved form, is signed and filed by the Movant which states:

(a) that a copy of the contested matter, a copy of the proposed order, and a NOTICE OF

BAR DATE were served on the parties entitled to such notice;

(b) that the Bar Date stated in the NOTICE OF BAR DATE was in accord with any order and all applicable code sections and rules; and

(c) if that the Bar Date has passed without the filing of an objection.

NOTE: If a REQUEST FOR ENTRY OF PROPOSED ORDER is NOT FILED within 30 days of the filing of the motion, your motion may be dismissed for failure to prosecute without further notice from this court.

A COPY OF THE FIRST PAGE OF THE CONTESTED MATTER AND A COPY OF THE PROPOSED ORDER SHALL BE ATTACHED TO THE REQUEST FOR ENTRY OF PROPOSED ORDER TO ASSIST THE CLERK'S OFFICE.

4. HEARING DATE.

If an objection is filed or if a hearing is requested in accordance with paragraph 1, the Movant shall file a REQUEST FOR A HEARING on a court approved form which includes a designation stating whether an evidentiary hearing is requested. Upon receipt of a non-evidentiary request, the clerk's office shall send a NOTICE OF HEARING DATE to the Movant which provides a DOCUMENT ID. NO. and states the date and time of the short calendar when the contested matter is scheduled for a hearing ("the Hearing Date"). The Movant shall thereupon immediately serve a copy of the NOTICE OF HEARING DATE on each party entitled to notice and shall certify such service on a court approved form of HEARING DATE CERTIFICATION.

5. DATES AND TIME COMPUTATION.

All dates and computations of any time period prescribed by this procedure shall be in accordance with Rule 9006 F.R. Bankr. P.

6. HEARING PROCEDURE.

A. Non-evidentiary hearings.

(a) Contested matters on the short calendar will be called by the courtroom deputy and will be marked: OFF (if the matter will not need court time; settled; continued (see subparagraph (d))); ready short (5minutes both sides); or ready long.

(b) Ready short matters will be heard on Wednesdays at 10:00 a.m. for Judge Dabrowski, and Wednesday at 1:00 p.m. and 3:00 p.m. for Judge Weil; ready long matters will be passed until short matters have been heard; or rescheduled to another date.

(c) A request for a continuance of the contested matter on or before the hearing date, agreed to by the movant and all respondents, will be granted without a hearing, and the clerk's office will reassign the contested matter to the next available short calendar, unless another date is requested. The reassigned contested matter will be marked "final". If the contested matter is not ready on the rescheduled ate, it will be dismissed without prejudice, unless otherwise ordered by the court.

B. Evidentiary hearings.

(a) Unless a time limitation is prescribed by law, the clerk's office will schedule an appropriate number of evidentiary contested matters for trial on designated days. The clerk's office shall send a notice of that time and date (the "Hearing Date") to the movant who shall immediately serve a copy thereof on all parties entitled to notice and certify such service on a court approved form of HEARING DATE CERTIFICATION. The hearing date shall be no earlier than 30 days after the request for an evidentiary hearing is filed pursuant to paragraphs 1.B or 4.

(b) A list of witnesses with a short statement of the testimony for each shall be filed and exchanged so that they are received no later than 10 days before the Hearing date. A party may not call a witness who is not on that party's list of witnesses. No expert witness may testify unless a detailed, signed statement of that expert's opinion has been filed and exchanged with the list of witnesses. The filing of lists of witnesses and experts' reports in compliance with this paragraph shall be accompanied by a certification of service.

This short calendar procedure shall be effective for all contested matters within its scope that are filed on and after February 14, 1995 and until otherwise modified.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

Chapter
Case No.:

Debtor(s)

REQUEST FOR ENTRY OF PROPOSED ORDER

The undersigned (the “Movant”) states:

(a) that a copy of the contested matter, a copy of the proposed order, and **NOTICE OF BAR DATE FOR OBJECTION TO ORDER** were served on all parties entitled to such notice;

(b) that the Bar Date stated in that notice was in accord with any order of this court and all applicable code sections and rules; and

(c) that the Bar Date has passed without the filing of an objection.

Accordingly, the undersigned requests the entry of the proposed order.

A COPY OF THE FIRST PAGE OF THE CONTESTED MATTER AND A COPY OF THE PROPOSED ORDER ARE ATTACHED HERETO TO ASSIST THE CLERK’S OFFICE.

The Movant

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

Chapter
Case No.:

Debtor(s)

**NOTICE OF BAR DATE FOR
OBJECTION TO ORDER**

The undersigned ("the Movant") has filed the following documents:

(1) _____ (the "contested matter") and

(2) a proposed order;

a copy of each is attached to this Notice.

PLEASE TAKE NOTICE

that unless you file an objection to the contested matter and send a copy to the undersigned Movant **no later than** _____ **(the bar date)**, the proposed order may enter without a hearing or any further notice.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Date: _____

The Movant

Address of the Movant

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

Chapter
Case No.:

Debtor(s)

NOTICE OF BAR DATE CERTIFICATION

The undersigned (the "Movant") hereby certifies that on the _____ day of _____, in accordance with Rules 7004, 7005, and 9014 F.R. Bankr. P., I have served the following upon all parties entitled to notice:

- (1) a copy of the contested matter
- (2) a copy of the proposed order, and
- (3) a NOTICE OF BAR DATE FOR OBJECTION TO ORDER.

STATE THE NAME, ADDRESS AND RELATIONSHIP TO THE CONTESTED MATTER
OF ALL PARTIES SERVED.

Dated: _____

The Movant

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

Chapter
Case No.:

Debtor(s)

REQUEST FOR A HEARING

The undersigned requests a hearing on:

A copy of the first page of that contested matter is attached hereto.

An evidentiary hearing is requested- YES _____ NO _____

Dated: _____

The Movant

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

Chapter
Case No.:
Document ID. No.:

Debtor(s)

HEARING DATE CERTIFICATION

The undersigned (the "Movant") hereby certifies that on the _____ day of _____, in accordance with Rules 7004, 7005, and 9014 F.R. Bankr. P., I served the NOTICE OF HEARING DATE upon the following parties, who constitute all parties entitled to notice:

(Supply additional pages if necessary)

**STATE THE NAME, ADDRESS AND RELATIONSHIP TO THE CONTESTED
MATTER OF ALL PARTIES SERVED.**

Dated: _____

The Movant